

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE	§	
COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 1:18-CV-04309-RWS
	§	
FRANCISCO ABELLAN VILLENA,	§	
GUILLERMO CIUPIAK, JAMES B.	§	
PANTHER, and FAIYEZ DEAN,	§	
	§	
Defendants.	§	

---

**UNITED STATES OF AMERICA’S NOTICE OF MOTION TO SEAL**

The United States of America (the “Government”), by and through its undersigned attorneys, intends to file a motion to intervene and stay in the above-captioned proceeding pursuant to Federal Rule of Civil Procedure 24. In advance of filing said motion, the Government hereby moves this Court for an order:

- (1) providing that the Notice of Motion to Intervene and Stay Proceedings, the accompanying motion and memorandum of law, and the accompanying proposed order be filed under seal, until further order of the Court;
- (2) providing that the accompanying declaration of Trial Attorney Michelle Pascucci be submitted *ex parte* and under seal, until further order of the Court; and
- (3) providing that any order filed by the Court responsive to the aforementioned submissions be filed under seal, until further order of this Court.

Dated: February 6, 2019

Respectfully submitted,

ROBERT ZINK  
Acting Chief, Fraud Section

BY: /s/ Michelle Pascucci  
Michelle Pascucci  
Trial Attorney  
Criminal Division, Fraud Section  
United States Department of Justice  
1400 New York Avenue NW  
Washington, DC 20005  
Tel: (202) 307-2208  
Fax: (202) 514-0152  
Michelle.Pascucci@usdoj.gov

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 6, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send notification to counsel of record.

Respectfully submitted,

ROBERT ZINK  
Acting Chief, Fraud Section

BY:                     /s/                      
MICHELLE PASCUCCI  
Trial Attorney  
Criminal Division, Fraud Section  
United States Department of Justice